

REMARKS

The Office Action dated November 19, 2004 has been received and carefully noted. The above amendments to the specification, drawings and claims, and the following remarks, are submitted as a full and complete response thereto.

The specification and drawings are amended to correct informalities. The references submitted in the Information Disclosure Statement (IDS) dated October 10, 2001, Krayem-Nevoux R et al. and Von Bernd Friedrichs are resubmitted. Attached is a copy of the post card receipt that indicates that four (4) references were submitted when the IDS was originally filed. Since these references were submitted with the October 10, 2001 IDS, no additional fees are needed. It is respectfully requested that these references be made of record in this application.

Claims 1, 6, 7, 9, 19, 20, 22, 23 and 24 are amended to more particularly point out and distinctly claim the subject matter of the present invention. Applicant gratefully acknowledges the indication that claims 2-5, 10-16 and 18 contain allowable subject matter. Applicant respectfully submits that these claims are allowable in their present form for the reasons set forth below. No new matter is presented and no new issues are raised which require further consideration and/or search. Claims 1-24 are respectfully submitted for consideration.

Claims 6, 7, 9, 17 and 20 were rejected under 35 U.S.C. §112 because of a lack of antecedent basis.

Applicant respectfully submits that the amendments to claims 6, 7, 9, 17 and 20 have proper antecedent basis. Accordingly, withdrawal of the rejection of claims 6, 7, 9, 17 and 20 under 35 U.S.C. §112 is respectfully requested.

Claims 1, 19, 22, 23 and 24 were rejected under 35 U.S.C. §112, second paragraph. Specifically the Office Action states that the term “some of said values being the same for said different channels” is indefinite.

As stated above, claims 1, 19, 22, 23 and 24 are amended to particularly point out and distinctly claim the subject matter of the invention. Accordingly, withdrawal of the rejection under 35 U.S.C. §112, second paragraph of claims 1, 19, 22, 23 and 24 is respectfully requested.

Claims 1, 6, 8, 9, 17, 19, 20, 21, 22, 23 and 24 are rejected under 35 U.S.C. §102(b) as being anticipated by 3GPP TS 33.102 V3.9.0 (2001-06) Release 1999 (3GPP). This rejection is respectfully traversed.

Applicant submits that the 3GPP reference is not available as prior art under 35 U.S.C. §102(b) or any sections of 35 U.S.C §102. The 3GPP reference cited in this Office Action was published in June 2001. However, the present application claims priority from GB Patent Application 004178.0 filed on February 22, 2000. As stated above, the release date for 3GPP is indicated as 1999. However, “Release 1999” refers to the year of release of the first version of TS33.102. The latest version of 3GPP that would qualify as prior art against the present application is version 3.3.1 which was

published on January 2000, and was not cited in the Office Action. Version 3.3.1 was submitted as a reference in the IDS filed on August 10, 2004.

Further, please note that version of the 3GPP reference includes a change history. The change history specifies when a particular functionality was incorporated into that particular 3GPP release. Detailed information on the actual changes is found on the 3GPP CR database (www.3GPP.org). Version 3.9.0 having been published in June of 2001 is not available a prior art since the publication date is after Applicants properly perfected priority date.

Still further, version 3.3.1 of 3GPP TS 33.102 does not disclose or suggest at least, the feature at least one of said values is arranged to comprise information relating to the identity of said channel, each channel having different identity as recited in claim 1.

It is respectfully submitted therefore, that this prior art rejection is improper on its face. Accordingly withdrawal of the rejection of under 35 U.S.C. §102(b) is respectfully requested.

Claims 2-5, 10-16 and 18 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that claims 2-5, 10-16 and 18 are allowable in their present form at least for the reasons stated above.


Accordingly, withdrawal of the objection of claims 2-5, 10-16 and 18 is respectfully requested.

It is respectfully submitted that the prior art fails to disclose or suggest the subject matter of any of the pending claims. Accordingly, it is respectfully requested that all of claims 1-24 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


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Enclosures: Copy of stamped receipt
Resubmitted References (2)
Replacement drawing sheet (1)

Amendments to the Drawings

The attached sheet of drawings includes changes to Fig. 1. The attached sheet, including Fig. 1, replaces the original sheet including Fig. 1.

Attachment: Replacement Sheet